UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/942,072	08/28/2001	Larry Lee Hines	20206-0117 (P99-2801)	6490

7590 02/28/2005	EXAMINER
Hewlett-Packard Company	HO, THOMAS M

Hewlett-Packard Company
Intellectual Property Administration
P.O. Box 272400
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ART UNIT	PAPER NUMBER
2134	

DATE MAILED: 02/28/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☐ Responsive to communication(s) filed on _21 August 2001_.
2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.
3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) _1-26_ is/are pending in the application.
    4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5)☐ Claim(s) _____ is/are allowed.
6)☒ Claim(s) _1-26_ is/are rejected.
7)☐ Claim(s) _____ is/are objected to.
8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.
10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.
    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
    a)☐ All   b)☐ Some * c)☐ None of:
    1.☐ Certified copies of the priority documents have been received.
    2.☐ Certified copies of the priority documents have been received in Application No. _____.
    3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☐ Notice of References Cited (PTO-892)
2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3)☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date _____.
4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .
5)☐ Notice of Informal Patent Application (PTO-152)
6)☐ Other: _____.

DETAILED ACTION

1.   Claims 1-26 are pending.

Claim Rejections - 35 USC § 112

2.   The following is a quotation of the first paragraph of 35 U.S.C. 112:

> The specification shall contain a written description of the invention, and of the manner and process of
> making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the
> art to which it pertains, or with which it is most nearly connected, to make and use the same and shall
> set forth the best mode contemplated by the inventor of carrying out his invention.

The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly
> claiming the subject matter which the applicant regards as his invention.

3.   Claims 1-26 are rejected under 35 U.S.C. 112, second paragraph, as being

incomplete for omitting essential structural cooperative relationships of elements, such

omission amounting to a gap between the necessary structural connections. See MPEP

§ 2172.01. The omitted structural cooperative relationships are: the enrollment servers,

operations of enrollment, any details disclosing what the enrollment process is doing, the

rendering environment of the applet.

4.   Claims 1-26 are rejected under 35 U.S.C. 112, second paragraph, as being

incomplete for indefinite language not supported in the specification.

        Where applicant acts as his or her own lexicographer to specifically define a term

of a claim contrary to its ordinary meaning, the written description must clearly redefine

the claim term and set forth the uncommon definition so as to put one reasonably skilled

in the art on notice that the applicant intended to so redefine that claim term. *Process*

Control Corp. v. HydReclaim Corp., 190 F.3d 1350, 1357, 52 USPQ2d 1029, 1033 (Fed.

Cir. 1999). The term "enrollment request" in claims 1,7 is used by the claim to mean

"authentication request", while the accepted meaning is "a request to register a user for a

first time." The term is indefinite because the specification does not clearly redefine the

term.

Additionally applicant uses the term "enrollment applet" in claims 1,7 is used by

the claim to mean "authentication information or authentication program", while the

accepted meaning is "client side program usually created with the JAVA programming

language often executed with web browsers used for internet transaction used to register

a user for the first time." The term is indefinite because the specification does not clearly

redefine the term. The Examiner has attempted, for the purposes of examination, to

define this term as understood in the art, but is still unable to determine what Applicant is

claiming, or how Applicant's invention is implemented.

APPLET

<World-Wide Web> A Java program which can be distributed as
an attachment in a World-Wide Web document and executed by a
Java-enabled web browser such as Sun's HotJava,
Netscape Navigator version 2.0, or Internet Explorer.

Navigator severely restricts the applet's file system and
network access in order to prevent accidental or deliberate
security violations. Full Java applications, which run
outside of the browser, do not have these restrictions.

Web browsers can also be extended with plug-ins though these
differ from applets in that they usually require manual
installation and are platform-specific. Various other

languages can now be embedded within HTML documents, the
most common being JavaScript.

Despite Java's aim to be a "write once, run anywhere"
language, the difficulty of accomodating the variety of
browsers in use on the Internet has led many to abandon
client-side processing in favour of server-side Java
programs for which the term servlet was coined.

Source: *The Free On-line Dictionary of Computing, © 1993-2004 Denis Howe*

The Applicant has done little more than to repeatedly cite the usage of an

"enrollment applet" in the authentication process disclosed in the specification.

However, no explicit definition of an "enrollment applet" is given. Furthermore, the

Applicant uses this "enrollment applet" in a manner that is unusual in the art. For

example, claim 1 recites "encrypting an enrollment applet, a public key, and signed data

with the first authentication key, and thereafter returning the encrypted enrollment applet,

public key, and signed data from the host application to the first server". While the

encryption and passing of a public key and signed data are well known in the art, the

encryption of an applet and it being sent from a host to a server is somewhat irregular,

and needs to be supported by more detail in the specification.

Additionally, the Applicant completely fails to even mention the JAVA

programming language considered essential to the implementation of such an applet. The

Applicant has also completely failed to mention the context with which the Applet will be

run in. While it is expected it would be run in web browser environment that supports

JAVA or perhaps a Java Virtual Machine, the Examiner is uncertain to assume this due to

Applicant's lack of disclosure and the unusual method in which Applicant is

manipulating the applet.

Essentially, the Examiner is unable to determine whether this "enrollment applet" is even an "applet".

Furthermore, no disclosure is made in the specification to recite the details of the "enrollment" process. No specific enrollment process is disclosed in the specification to Examiner's knowledge. Applicant repeatedly cites the term "enrollment" in "enrollment requests" and "enrollment applet" in the specification, but fails both to disclose their meaning and any details necessary to implement the enrollment abilities.

An enrollment as understood by those of ordinary skill in the art is a process by which a client or customer may be registering for a first time. However applicant fails to disclose any context to which the client is enrolling. Furthermore, no sufficient disclosure is even given as to why an Applicant would even want to enroll in a process. Any details regarding the purpose, the meaning, and the details of implementation of the "enrollment applet" fail to be disclosed by the Applicant.

Essentially, the Examiner is unable to determine whether any "enrolling" is even being performed. Both the specification and the claims cite this repeatedly, but fail to disclose how it works or what it even is.

The specification itself appears to be incomplete in that is devoid of detail sufficient to render the proper context of its own content and the implementation of the invention and its own components.

Conclusion

5.   Any inquiry concerning this communication from the examiner should be directed

to Thomas M Ho whose telephone number is (571)272-3835. The examiner can normally

be reached on M-F from 9:30 AM - 6:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Gregory A. Morse can be reached on (571)272-3838.

The Examiner may also be reached through email through Thomas.Ho6@uspto.gov

Any inquiry of a general nature or relating to the status of this application or proceeding

should be directed to the receptionist whose telephone number is (571)272-2100.

| General Information/Receptionist | Telephone: 571-272-2100 | Fax: 703-872-9306 |
| Customer Service Representative | Telephone: 571-272-2100 | Fax: 703-872-9306 |

TMH

February 18th, 2005

GREGORY MORSE
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100